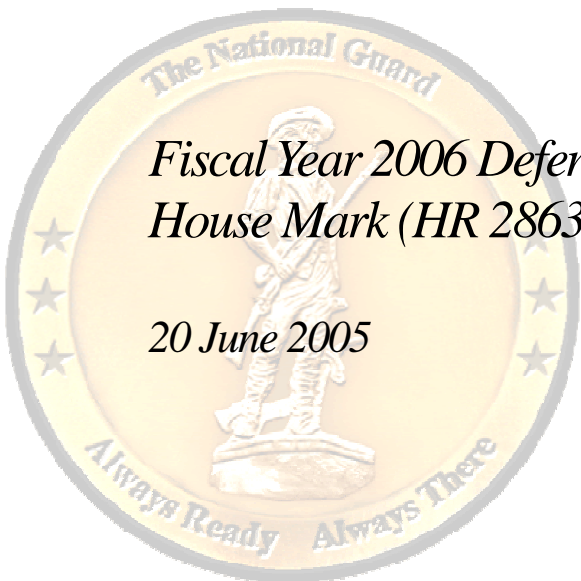




National Guard Legislative Analysis



*Fiscal Year 2006 Defense Appropriations –
House Mark (HR 2863)*

20 June 2005





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Executive Summary

The House completed its work on the FY2006 Defense Appropriations Bill (HR 2863) issuing House Report 109-119. The House Appropriations Committee, Defense Subcommittee reported out their bill on 7 June 2005 and the full committee adopted the report on 10 June 2005. The House passed the bill on 20 June 2005. The Senate is expected to take up the measure after the July 4th recess.

For the full text of H.R. 2863 and associated committee reports, please visit our homepage at: <http://www.ngb.army.mil/LL/>

The following chart summaries the amounts reflected for the National Guard:

<i>Dollars in Thousands</i>	FY05	FY06 Request	House Mark (Δ)	Senate Mark (Δ)	Conference Result (Δ)
Army National Guard					
Endstrength	350,000	350,000	--		
AGRs	26,602	27,345	--		
Technicians	26,676	27,163	--		
Military Personnel	\$5,467,656	\$4,669,104	-309,400		
Operations & Maintenance	\$4,058,342	\$4,118,175	+24,000		
Air National Guard					
Endstrength	106,800	106,800	--		
AGRs	12,253	13,089	--		
Technicians	23,306	23,321	--		
Military Personnel	\$2,326,091	\$2,051,715	-23,500		
Operations & Maintenance	\$4,424,096	\$4,554,300	-6,785		

The bill included the following items of interest:

- The House provided language deleting the National Guard and Reserve Equipment Account requiring specific earmarks for Guard and Reserve procurement within Service accounts.
- The House recognized the Army's Modular Force transition and provides for transition funds within this bill. The Army National Guard will contain 34 Brigade Combat Teams under this bill.
- The House provided additional "Bridge" funds for the first part of fiscal year 2006 for the Army National Guard to ensure uninterrupted delivery of resources to troops in the field.
 - Initial Entry Training, \$67,000,000
 - Recruiting and Advertising, \$147,000,000
 - NG Family Support Centers, \$ 12,500,000
- The House provided a provision to allow the Secretary of Defense to continue to present promotional materials, including US flags, to members who participated in Operations Enduring Freedom and Iraqi Freedom.

Title I—Military Personnel

Guard Forces Supported

The House bill provides for the following Guard force structure:

	FY04	FY05	FY06
ARNG Guard Divisions			
Light	1	1	1
Infantry	1	0	0
Mechanized	4	4	3
Medium	2	2	1
	8	7	5
ARNG Non-Combat Units			
Armored Calvary Units	1	1	0
Separate Brigades	17	14	10
	18	15	10
ARNG Modular Forces			
Units of Employment Y	0	0	0
Units of Employment X	0	1	3
Brigade Combat Team Heavy	0	2	6
Brigade Combat Team Infantry	0	1	3
STRYKER	0	1	1
Aviation	0	0	13
Sustainment Brigade	0	0	5
Fires Brigade	0	0	1
Maneuver Enhancement Brigade	0	0	3
Battle Field Surveillance Brigade	0	0	0
	0	5	35
USAF Fighter and Attack Squadrons¹			
ANG	37	36	37

Army

The fiscal year 2006 budget request is designed to support the Army transformation to a Modular Force (10 Active Units of Employment, 36 Active Brigade Combat Teams, and 21 Active Support Brigades by fiscal year 2006) and Active forces yet to be transformed, consisting of 3 divisions and 1 separate brigade. The reserve Modular Force will transform by fiscal year 2006 with 3 Units of Employment, 10 Brigade Combat Teams, 26 (4 USAR) Support Brigades and forces yet to be transferred consisting of 5 divisions and 10 separate brigades. These forces provide the minimum force necessary to meet enduring defense needs and execute the National Military Strategy. At end state, the active Army force will contain 43 Brigade Combat Teams, the Army National Guard will contain 34 Brigade Combat Teams and the Army Reserve will contain 11 Support Brigades (8 Sustainment, 3 Maneuver Enhancement).

Air Force

The fiscal year 2006 Air Force budget request is designed to support active, guard, and reserve forces, including 87 combat coded fighter and attack Squadrons and 8 combat coded strategic bomber squadrons. The ICBM force maintains 550 launch facilities with 500 Minuteman missiles, with the Peacekeeper missile force completing deactivation in fiscal year 2005. The budget also supports our critical airlift mission, including 23 active duty airlift squadrons. To accomplish the Air Force mission, the 2006 budget supports a total force end strength of 538,200.

¹ Numbers of squadrons above reflect combat coded units only

Army National Guard, Personnel

<i>Dollars in thousands</i>	<i>Budget Request</i>	<i>House Mark (Δ)</i>	<i>Senate Mark (Δ)</i>	<i>Conf (Δ)</i>
Budget Activity 1, Unit and Individual Training				
Pay Group A Training (15 days & drills)	1,602,858	--		
Pay Group F Training (Recruits)	315,333	--		
Pay Group P Training (Pipeline Recruits)	30,767	--		
School Training	300,499	-300,499		
Special Training	211,114	-211,114		
Administration and Support	2,436,257	-2,436,257		
Education Benefits	225,966	-225,966		
Total, Budget Activity 1	5,122,794	-3,173,836		
Budget Activity 2, Other Training and Support				
School Training	--	+300,499		
Special Training	--	+211,114		
Administration and Support	--	+2,436,257		
Educational Benefits	--	+225,966		
Total, Budget Activity 2	--	+3,173,836		
Undistributed Adjustments				
Unobligated Balances		-11,600		
Reserves Cost Avoidance		-297,800		
Less Basic Allowance for Housing ²		-453,690		
Total, National Guard Personnel, Army	4,669,104	-309,400		

² Under House Military Quality of Life and VA Appropriations

Air National Guard, Personnel

<i>Dollars in thousands</i>	<i>Budget Request</i>	<i>House Mark(Δ)</i>	<i>Senate Mark (Δ)</i>	<i>Conf (Δ)</i>
Budget Activity 1, Unit and Individual Training				
Pay Group A Training (15 days & drills)	877,728	--		
Pay Group F Training (Recruits)	65,630	--		
Pay Group P Training (Pipeline Recruits)	457	--		
School Training	155,452	-155,452		
Special Training	90,829	-90,829		
Administration and Support	1,036,885	-1,035,885		
Education Benefits	74,051	-74,051		
Total, Budget Activity 1	2,300,032	-1,356,217		
Budget Activity 2, Other Training and Support				
School Training		+155,452		
Special Training		+90,829		
Administration and Support		+1,035,885		
Educational Benefits		+74,051		
Total, Budget Activity 2		+1,356,217		
Committee Recommended Adjustments				
Unobligated Balances	--	-3,500		
Reserves Cost Avoidance	--	-20,000		
Less Basic Allowance for Housing ³	-248,317	--		
Total, National Guard Personnel, Air Guard	2,051,715	-23,500		

Guard and Reserve Cost Avoidance

The Committee recommends a reduction of \$430,600,000 to the budget request for the Guard and Reserve fiscal year 2006 military personnel accounts. The Government Accountability Office (GAO) found that updated monthly strength data, when compared to the monthly strength data in the fiscal year 2006 budget, had strength levels lower than budgeted, resulting in the above funds not being needed for the Guard and Reserve components.

Expedited Service member Naturalization

The Committee notes with interest past efforts of the Department of Defense and the Department of Homeland Security to expedite the citizenship naturalization process for service members in accordance with Presidential direction (Executive Order 3 July, 2002) and Congressional guidance and intent (P.L. 108-136, title XVII). The Committee, however, remains concerned that efforts have proceeded slowly and service members still routinely deploy operationally with naturalization requests still pending. Accordingly, the Committee directs the Department of Defense to submit a report, not later than 120 days after the date of enactment of this Act, detailing efforts to notify all non-citizens in the active duty and Reserve components of the

³ Under House Military Quality of Life and VA Appropriations

expedited citizenship process; and to shepherd these service member through the process to ensure that all cases are resolved prior to a service member's deployment.

Title II—Operations and Maintenance

Army National Guard, Operations and Maintenance

<i>Dollars in thousands</i>	<i>Budget Request</i>	<i>House Mark</i>	<i>Senate Mark</i>	<i>Conf</i>
Land Forces, Divisions	600,818	--		
Corps Combat Forces	530,869	--		
Corps Support Forces	322,856	--		
Echelon Above Corps Forces	606,026	--		
Land Forces Operations Support	26,077	--		
Force Readiness Operations Support	227,670	--		
Land Forces Systems Readiness	126,496	--		
Land Forces Depot Maintenance	255,367	--		
Base Operations Support	610,219	+20,000		
Facilities Sustainment, Restoration and Modernization ⁴	391,544	--		
Management & Operational HQs	406,794	--		
Miscellaneous Activities	65,363	--		
Total, Budget Activity 1	4,170,099	+20,000		
Staff Management (Administration)	111,552	--		
Information Management	52,814	+1,000		
Personnel Administration (Manpower Management)	50,653	--		
Recruiting and Advertising	124,601	--		
Total, Budget Activity 4	339,620	+1,000		
Undistributed Amounts				
Angel Gate Academy	--	+3,000		
National Emergency and Disaster Information Center	--	+2,000		
Joint Training and Experimentation Program	--	+4,000		
NG Global Education Project	--	+500		
Advanced Emergency Medical	--	+2,500		

⁴ Under House Military Quality of Life Appropriations

<i>Dollars in thousands</i>	<i>Budget Request</i>	<i>House Mark</i>	<i>Senate Mark</i>	<i>Conf</i>
Response Training Program				
Homeland Operational Planning System	--	+10,000		
Unobligated Balances	--	-48,100		
ERP for Army Guard Installations	--	+2,000		
Regional Geospatial Service Center	--	+1,000		
Community Emergency Response/ Analysis Center	--	+1,000		
Strategic Biodefense Initiative	--	+10,000		
Advanced Starting Systems	--	+500		
Internal Airlift, Helicopter Slingable Units	--	+4,000		
Advanced Solar Covers	--	+3,200		
Civil Support Team Trailer Program	--	+1,000		
RCAS	--	+5,000		
FL NG Operation Safe at Home Program	--	+2,100		
Less Facilities Sustainment, Restoration and Modernization	-391,544			
Total, O&M, Army National Guard	4,118,175	+24,700		

Operations and Maintenance, Air National Guard

<i>Dollars in thousands</i>	<i>Budget Request</i>	<i>House Mark</i>	<i>Senate Mark</i>	<i>Conf</i>
Aircraft Operations (see note below)	2,938,127	+9,315		
Mission Support Operations	497,447	--		
Depot Maintenance	612,807	--		
Facilities Sustainment, Restoration and Modernization ⁵	169,791	--		
Base Support	467,517	--		
Total, Budget Activity 1	4,685,689	+9,315		
Administration	28,949	--		
Recruiting and Advertising	9,453	--		
Total, Budget Activity 4	38,402	--		
Undistributed Amounts				
Unobligated Balances	--	-22,100		
Distributed Training Technology Project	--	+3,000		
Eagle Vision	--	+2,000		
Less Facilities Sustainment, Restoration and Modernization	-169,791			
Total, O&M, Air National Guard	4,554,300	-6,785		

Note: Aircraft Operations reflected a total increase of \$9,315,000. This amount was further specified as below:

- Aircraft Operations--\$5,000,000
- Aircraft Operations/Training Capability Upgrade--\$315,000
- Aircraft Operations/Air Refueling Operational Support--\$4,000,000

Training Capability Upgrade

The House recommends an increase of \$315,000 above the budget request to upgrade and enhance training for the 139th Airlift Wing associated with increased demands of night vision training operations.

Moffett Federal Field

The House recommends an increase of \$1,000,000 above the budget request for advanced video surveillance equipment for the monitoring of Moffett Federal Airfield.

⁵ Under House Military Quality of Life Appropriations

Operations and Maintenance, Defense Wide

<i>Dollars in thousands</i>	<i>Budget Request</i>	<i>House Delta</i>	<i>Senate Delta</i>	<i>Conf</i>
CA NG Youth Challenge Program	--	+2,000		
Citizen Soldier Support Program	--	+5,000		

National Guard Youth Challenge Program

The House recommends an increase of \$2,000,000 above the budget request to prepare facilities at Joint Forces Training Base Los Alamitos to expand the California National Guard Grizzly Program.

Title III-Procurement

Procurement, Army

The following items were those specifically identified for the Army National Guard:

<i>In thousands</i>	<i>House Delta</i>	<i>Senate Delta</i>	<i>Conference Delta</i>
Other Procurement, Army			
AN/PRC-150 HF Radio for Army Guard & Reserve	+10,000		
Profit Block 1 System	+7,500		
Blast Booths and Paint Booths for KS National Guard Sustainment Maintenance Site	+1,800		
Construction Equipment SLEP for AR and ARNG	+15,000		
Digital Deployed Training Campus Program (ARNG)	+10,000		
Up-armored HMMWV & Tactical Truck Crew Trainers (OHARNG)	+1,000		
Up-armored HMMWV and Tactical Truck Trainers for the ARNG	+5,000		
Combat Arms Training System (ARNG)	+2,000		
Tabletop Gunnery Trainers and Full-fidelity Trainers for the ARNG	+3,000		
AB-FIST for the ARNG	+3,000		
SHF Term (National Guard C4ISR Enhancement)	+7,500		
Network (SMM-CCTN) for MN Army Guard	+1,000		
Radio, Improved HF Family (Guard and Reserve)	+10,000		

The House bill included the following specified amounts for Guard and Reserves in Service accounts:

Army National Guard

- UH-60 Blackhawks, \$580,650,000 for 45 aircraft for Army and ARNG
- Weapons and Tracked Combat Vehicles, \$614,800,000
- Ammunition, \$119,000,000
- Other Procurement Army, \$765,400,000

Air National Guard

- Aircraft Procurement, \$380,000,000
- Ammunition, \$164,800,000
- Other Procurement, Air Force, \$135,800,000

Note: Committee added \$75,000,000 for 4 UH-60 Blackhawks for the Army Reserve.

Procurement, Air Force

The following items were those specifically identified for the Air National Guard:

<i>In thousands</i>	<i>House Delta</i>	<i>Senate Delta</i>	<i>Conference Delta</i>
Aircraft Procurement, Air Force			
ANG Block 42 F-16 Engine Upgrade	+15,000		
C-5 Avionics Modernization Program for the ANG and AFRES C-5 Units	+5,400		
AFFS for Western States Fire Fighting for ANG and AFRES	+12,000		
JSTARS Re-engining	+13,500		
F-15 APG-63(V)3 Radars for F-15s	+52,200		
Joint Threat Emitter	+1,000		
EST 2000 Trainers for the Air National Guard	+3,600		

F-15 Active Electronically Scanned Array Procurement

The Committee has provided an additional \$72,200,000 to begin procurement of APG-63(V)3 radars. Of the funds provided, \$20,000,000 is to procure low rate factory specialized test equipment fund array verification and procure one APG-63(V)3 array that can be used for attrition reserve for the Alaska F-15C squadron. The remaining funds, \$52,200,000, are to procure 6 systems for Air National Guard F15s. Funds have also been included in Research, Development, Test and Evaluation, Air Force for continued development of these radars to increase capability.

Airborne Firefighting Systems (AFFS)

The Committee notes the drastically decreased availability of commercial firefighting aircraft and applauds the Department of Defense for its willingness to provide assets to assist states in mitigating the impact of wild fires. The Committee is concerned, however, that even though Congress has for three years provided funding specifically for the development and procurement of a replacement for the obsolete Modular Airborne Fire Fighting System used by Air National Guard and Air Force Reserve units to fight wild fires for more than 30 years, the designated replacement system, Airborne Fire-Fighting System (AFFS) has yet to be fielded. As civilian airborne assets become increasingly unavailable, expedited AFFS fielding for C-130J aircraft has become a critical issue for western States and other regions routinely afflicted with massive wild fires.

National Guard and Reserve Equipment (NGREA)

The House provided funds for National Guard and Reserve forces consistent with the budget request and has earmarked funds within the procurement accounts as requested. The House considers the earmarks in the bill designating dollar amounts for the Guard and Reserve components as a floor rather than a ceiling. Accordingly, the House provided language deleting the NGREA account.

Equipment Reset and Reconstitution

The Committee understands that both the Army and Marine Corps face significant financial commitments to reset their equipment in light of operations in Iraq and Afghanistan. Unfortunately, the extent of these requirements has not been articulated to date. Accordingly, the

Committee directs the Secretary of the Army and the Secretary of the Navy to each provide a report to the congressional defense committees, to accompany the fiscal year 2007 Department of Defense budget request, that provides the best current estimate of the requirements to reset combat, logistical and support equipment items of all types supporting operations in Iraq and Afghanistan. This report shall detail requirements associated with replacing combat losses, assets destroyed, lost because they are no longer economically repairable, and equipment required to reconstruct prepositioned equipment sets.

Title IV—Research, Development, Test and Evaluation, Defense-Wide

<i>In thousands</i>	<i>House Delta</i>	<i>Senate Delta</i>	<i>Conference Delta</i>
Combating Terrorism Technology Support			
CBRNE Force Response Element-Education, Development, Operations, and Mitigation (FREEDOM)	+2,000		
Weapons of Mass Destruction Education and Training	+2,500		
Critical Infrastructure Protection	+2,000		

Title VI—Other Department of Defense Programs (Counterdrug)

The House provided a total of \$895,741,000 which was \$11,200,000 above the President's budget.

<i>In thousands</i>	<i>House Delta</i>	<i>Senate Delta</i>	<i>Conference Delta</i>
Drug Interdiction and Counterdrug Activities, Defense			
Southwest Border Fence	+5,000		
Multi-Jurisdictional Counterdrug Task Force Training	+3,500		
FL NG Counterdrug Activities	+3,000		
IN NG Counterdrug Activities	+1,000		
NV NG Counterdrug Activities	+3,500		

Title VIII—General Provisions

SEC. 8045. None of the funds available in this Act may be used to reduce the authorized positions for military (civilian) technicians of the Army National Guard, the Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military (civilian) technicians, unless such reductions are a direct result of a reduction in military force structure.

SEC. 8047. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program, the Joint Military Intelligence Program and the Tactical Intelligence and Related Activities aggregate: *Provided*, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8058. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis. (b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8072. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under 10 V.S.C. 2667, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in 32 V.S.C. 508(d), or any other youth, social, or fraternal non-profit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8087. (a) In addition to the amounts provided elsewhere in this Act, the amount of \$6,000,000 is hereby appropriated to the Department of Defense for "Operation and Maintenance, Army National Guard". Such amount shall be made available to the Secretary of the Army only to make a grant in the amount of \$6,000,000 to the entity specified in subsection (b) to facilitate access by veterans to opportunities for skilled employment in the5 construction industry. (b) The entity referred to in subsection (a) is the Center for Military Recruitment, Assessment and Veterans Employment, a nonprofit labor-management co-operation committee provided for by section 302(c)(9) of the Labor-Management Relations Act, 1947 (29 U.S.C. 186(c)(9)», for the purposes set forth in section 6(b) of the Labor "Management Cooperation Act of 1978 (29 U.S.C. 175a).

Title IX—Additional Appropriations

Title IX provides funds for operations as a “bridge fund” for the first six months of fiscal year 2006 in order to ensure the uninterrupted delivery of resources to our troops in the field. The following chart reflects the amounts for the National Guard:

<i>In thousands</i>	<i>House Delta</i>	<i>Senate Delta</i>	<i>Conference Delta</i>
Army National Guard			
National Guard Personnel, Army (Initial Entry Training)	+67,000		
Operations and Maintenance, ARNG (Recruiting and Advertising)	+147,000		
Operations and Maintenance, ARNG (NG Family Support Centers)	+12,500		

General Provisions

Section 9011 provides that the Secretary of Defense may present promotional materials, including a United States Flag, to military members who participate in Operations Enduring Freedom or Iraqi Freedom.

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